

08.07.2022.
32.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2183 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj P. S. Case No.129 of 2022 dated 25.04.2022 under Sections 304/34 of the Indian Penal Code.

In the matter of : Prosanta Biswas.

.... Petitioner.

Mr. Prabir Majumder.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Ms. Sonali Das,
Ms. RajyashreeMukherjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for over about 75 days. It is submitted incident occurred in course of a sudden quarrel. Victim survived for two days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the father-in-law of the victim. There was a domestic quarrel between the victim and his wife i.e. daughter of the petitioner. Incident occurred in course of a sudden quarrel and petitioner was unarmed.

In view of the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)